

REMARKS

Claims 1 and 4-11 are pending. Claim 10 is withdrawn. Claims 2 and 3 are canceled by this amendment. Claim 1 has been amended to incorporate the limitations from claims 2 and 3. No new matter has been added.

Claims 1-9 and 11 are rejected under 35 USC 103(a) as being unpatentable over Hirukawa, U.S. Patent Publication No. 2003/0048825, in view of Uchida, U.S. Patent No. 5,751,753. This rejection is respectfully traversed.

Claim 1 has been amended to recite “wherein the interface protective layer is formed of GaAs, and the interface protective layer has a thickness of not more than 30 Å.” A layer formed of GaAs does not absorb a laser light of 1μm band, although the GaAs layer absorbs laser light of the 760-800 nm band. Therefore, the semiconductor laser device of Uchida emitting a laser light of 1μm band uses the GaAs layer because the GaAs layer does not absorb a laser light of 1μm band.

On the other hand, the semiconductor laser device of Hirukawa is in the 760-800 nm band so that the semiconductor laser device does not have any interface protect layer of GaAs so as not to absorb laser light in the 760-800 nm band. Accordingly, one of ordinary skill in the art would not have been motivated to combine the teachings of Hirukawa and Uchida to create the claimed invention because the light emission efficiency and light emission pattern deteriorate for the GaAs layer to absorb a laser light in the 760-800 nm band. Thus, these references actually teach away from a combination.

According to amended claim 1, because the interface protect layer of GaAs has a thickness of not more than 30 Å, the interface protect layer of GaAs hardly absorbs laser light in the 760-800 nm band. Accordingly, the light emission efficiency and light emission pattern does not deteriorate.

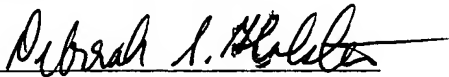
For at least these reasons, claim 1 is allowable. The remaining claims are allowable at least due to their respective dependencies. Applicants request that this rejection be withdrawn.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.

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